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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,106	04/21/2005	Robert A Shipman	36-1894	9054
23117 7590 12/21/2007 NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			EXAMINER YEN, SYLING	
			ART UNIT 2166	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

AA

**Office Action Summary**

Application No.

10/532,106

Applicant(s)

SHIPMAN, ROBERT A.

Examiner

SyLing Yen

Art Unit

2166

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 October 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 and 27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 and 27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to the communication filed on October 05, 2007.

Claims 1, 7, 13, 19 and 27 have been amended. Claim 28 has been cancelled. Claims 1-24 and 27 are pending.

2. Applicants' arguments filed October 05, 2007 have been fully considered but they are not deemed to be persuasive. Rejections and/or objections not reiterated from previous office actions are hereby withdrawn. The following rejections and/or objections are either reiterated or newly applied. They constitute the complete set presently being applied to the instant application.

#### ***Claim Objections***

3. Claims 13-18 objected to because of the following informalities: Claim 13 recites the limitation "said method" in line 1. There is insufficient antecedent basis for this limitation in the claim. Claims 14-18 are objected because they depend on the objected claim 13 above. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-7, 9-19, 21-24 and 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Kraay et al (U.S. Patent 5,956,717 hereinafter, "Kraay").

6. With respect to claim 1,

Kraay discloses **a method for processing user records** (Kraay col. 1 line 24 e.g. subscriber records), **said method comprising:**

**a) receiving** (Kraay col. 4 lines 19-23 e.g. the subscriber information obtainable from such networks includes business and residential telephone subscribers' number, e-mail account addresses, and TCP/IP internet addresses and packet routing header data) **a user record information** (Kraay col. 3 lines 26-46 e.g. A third database includes biographical data about the telephone subscribers) **record from each of a plurality of users** (Kraay col. 3 lines 26-46 e.g. telephone subscribers), **each received user record information record including at least a user identifier** (Kraay col. 3 lines 26-46 e.g. telephone subscribers, such as name, address; the name of one of the telephone subscribers, and the name has been interpreted for the skilled person as an alternate of a user identifier) **and/or a user address** (Kraay col. 3 lines 26-46 e.g. telephone subscribers, such as name, address; the address of one of the telephone subscribers), **and at least a subset** (Kraay col. 3 lines 26-46 e.g. telephone subscribers, such as name, address; some of the telephone subscribers) **of the received user record information records each further including a list of one or more other user identifiers and user addresses** (Kraay col. 3 lines 26-46 e.g.

telephone subscribers, such as name, address; names and addresses of other telephones subscribers).

**b) storing** (Kraay col. 3 lines 26-46 and col. 4 lines 12-24 e.g. a third database includes biographical data about the telephone subscribers; a connection database which for example can include connection logs and records of individual communication network subscribers with a corresponding network address; the the subscriber information obtainable from such networks includes business and residential telephone subscribers' number, e-mail account addresses, and TCP/IP internet addresses and packet routing header data) **the received plurality of user record information records** (Kraay col. 1 line 24 e.g. subscriber records);

**c) processing the user records to determine any common** (Kraay col. 3 lines 26-46 and col. 5 lines 1-4 e.g. matches between the first and second databases are made. Related components are grouped into clusters; An output file is constructed, called SUSPECT.VEC for example, and comprises the telephone numbers common to both databases 12 and 14) **user identifiers and/or user addresses** (Kraay col. 3 lines 26-46 and col. 5 lines 1-4 e.g. telephone numbers) **stored therein; and**

**d) storing** (Kraay col. 3 lines 26-46 e.g. grouped into clusters) **link information linking** (Kraay col. 1 lines 33-34, col. 3 lines 26-46 and col. 5 lines 1-4 e.g. linking subjects, vehicles, locations, businesses and other entities; matches between the first and second databases are made. Related components are grouped into clusters; An output file is constructed, called SUSPECT.VEC for example, and comprises the telephone numbers common to both databases 12 and 14; the common telephone

number is an alternate of an link information linking those subscriber records) **those user records** (Kraay col. 1 line 24 e.g. subscriber records) **for which common user identifiers and/or user addresses were found to be stored therein.**

7. With respect to claim 2,

Kraay further discloses **wherein at least one or more of the user addresses are telephone numbers** (Kraay col. 3 lines 26-46 and col. 5 lines 1-4 e.g. telephone numbers).

8. With respect to claim 3,

Kraay further discloses **wherein at least some of the telephone numbers** (Kraay col. 6 lines 54-55 e.g. cellular telephone cell-switching and call-routing information) **are mobile telephone numbers.**

9. With respect to claim 4,

Kraay further discloses **wherein at least one or more of the user identifiers are the names of registered users** (Kraay col. 3 lines 26-46 e.g. telephone subscribers, such as name, address; some of the telephone subscribers).

10. With respect to claim 5,

Kraay further discloses **wherein the processing step further comprises: processing the user records to determine, for any particular** (Kraay col. 5 lines 17-49 e.g. a particular connection address) **user record, whether the user address** (Kraay col. 5 lines 17-49 e.g. each connection address in a cluster) **and/or user identifier thereof is/are included in any of the lists of user identifiers and/or user addresses from the other user** (Kraay col. 3 lines 41-45 and col. 5 lines 17-49

e.g. The unique telephone numbers in the database are identified. Matches between the first and second databases are made; each connection address in a cluster has made at least one connection with a second connection address) **records;**

**and wherein the storing step further comprises:**

**storing link information linking the particular user record to those other of the user records whose lists included the particular user record's user address and/or user identifier.**

11. With respect to claim 6,

Kraay further **discloses wherein the processing step further comprises:**

**processing the user records to determine, for any particular user identifier and/or user address (Kraay col. 5 lines 17-49 e.g. a particular connection address) stored in the list of any particular user record, whether the user address and/or user identifier is/are the same (Kraay col. 3 lines 41-45 and col. 5 lines 17-49 e.g. The unique telephone numbers in the database are identified. Matches between the first and second databases are made; each connection address in a cluster has made at least one connection with a second connection address) as any of the other user record user identifiers and/or user addresses;**

**and wherein the storing step further comprises:**

**storing link information linking the particular user record to those other of the user records whose user identifiers and/or user addresses is/are the same as the particular user identifier and/or user address stored in the list of the particular user record.**

12. With respect to claim 7,

Kraay further discloses **a method for searching user records** (Kraay col. 2 lines 34-40 e.g. key-word searched for one or more subjects; Universal pattern and association searches are conventionally used to combine telephone, surveillance, financial and mail activity, and then to look for any systematic patterns and links. Relational links between a subject, a group, a business, etc., are displayed) **for user addresses** (Kraay col. 2 lines 34-40 and col. 3 lines 26-46 e.g. telephone; telephone numbers) **in response to a request therefor, said method comprising:**

**a) storing a plurality of user records, each record to be processed including at least a user identifier and/or a user address, and at least a subset of the user records each further including a list of one or more other user identifiers and user addresses;**

**b) storing link information linking those user records for which common user identifiers and/or user addresses are stored therein;**

**c) receiving a search request** (Kraay col. 2 lines 34-40 e.g. key-word searched for one or more subjects; Universal pattern and association searches are conventionally used to combine telephone, surveillance, financial and mail activity, and then to look for any systematic patterns and links. Relational links between a subject, a group, a business, etc., are displayed) **from a user specifying a user identifier for which the corresponding user address is required; and**

**d) searching the stored user records using the link information** (Kraay col. 1 lines 33-34, col. 2 lines 34-40, col. 3 lines 26-46 and col. 5 lines 1-4 e.g. linking



subjects, vehicles, locations, businesses and other entities; look for any systematic patterns and links. Relational links between a subject, a group, a business, etc., are displayed; matches between the first and second databases are made. Related components are grouped into clusters; An output file is constructed, called SUSPECT.VEC for example, and comprises the telephone numbers common to both databases 12 and 14; the common telephone number is an alternate of an link information linking those subscriber records) **to provide one or more user addresses from the user records corresponding, to the user identifier specified in the search request.**

13. With respect to claim 9,

Kraay further discloses

**e) searching the user records to produce a list of search** (Kraay col. 5 lines 35-50 e.g. A first such file is named NUMVAL.DAT for example, and comprises each telephone number and its valence, sorted in numerical order by telephone number) **results corresponding to the search request; and**

**f) using the link information to order the list of search results in order of potential relevance** (Kraay col. 5 lines 35-50 e.g. computing a "distance" between any two network addresses that have evidently communicated with each other; each telephone number and its valence).

14. Concerning claims 10-12,

The limitations therein have substantially the same scope as claims 2-4.

Therefore claims 10-12 are rejected for at least the same reasons as claims 2-4.

15. Concerning claim 13-19 and 21-24,

The limitations therein have substantially the same scope as claims 1-7 and 9-12 because claims 13-19 and 21-24 are system claims for implementing those steps of claims 1-7 and 9-12. Therefore claims 13-19 and 21-24 are rejected for at least the same reasons as claims 1-7 and 9-12.

16. Concerning claim 27,

The limitations therein have substantially the same scope as claim 1 because claim 27 is a computer program claim for implementing those methods of claim 1. Therefore claim 27 is rejected for at least the same reasons as claim 1.

***Claim Rejections - 35 USC § 103***

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

19. Claims 8 and 20 are rejected under 35 U.S.C. 103(a) as being obvious by Kraay as applied to claims 1-7, 9-19, 21-24 and 27-28 above, in view of De l'Etraz et al (U.S. Patent 6,324,541 hereinafter, "De l'Etraz").

20. With respect to claim 8,

Kraay further discloses **using the link information to identify further user records linked to the identified user record; wherein the link information is iteratively** (Kraay col. 5 lines 17-25 e.g. Thus each connection address in a cluster has made at least one connection with a second connection address, and that second connection address has made at least one connection with a third connection address, and so on) **used to identify further user records located up to a predetermined number** (Kraay col. 5 lines 40-50 e.g. the maximum number of communications between any two telephone numbers in a given cluster) **of links from the user record of the user making the search request; the searching step further comprising:**

**comparing the user identifiers** (Kraay col. 4 lines 65-57 e.g. compares telephone numbers in the database 14 (SUSPECT.DAT) with those in database 12 (CHRONO.DAT)) **of each respective identified user record with the user identifier specified in the search request; and**

**returning the user addresses of those user records whose user identifiers matched** (Kraay col. 3 lines 40-45 e.g. matches between the first and second database are made) **the search request as the search results.**

Although Kraay substantially teaches the claimed invention, Kraay does not explicitly indicate the capability of **identifying the user record of the user making the search request** (De l'Etraz col. 21 lines 16-22, col. 23 lines 59-61 and col. 24 lines 45-47 e.g. allow certain (i.e. managerial) users of the system to browse in the "Company Contacts" mode. That is, security measures are implemented to safe-guard the private database 104, so that only certain users may view other user's personal contact information; as indicated in TABLE 3, a user may perform a search of the databases 102 and/or 104 in order to determine the contact pathway, if any exists, from the user to a targeted person at a specific organization; determination of an optimal contact pathway for an entity (i.e., user), according to an embodiment of the present invention).

De l'Etraz teaches the limitations as stating above.

It would have been obvious to one of ordinary skill in the art of user record searching, at the time of the present invention, having the teachings of Kraay and De l'Etraz before him/her, to modify the user record searching method of Kraay, wherein the user record searching method would include identifying the user record of the user making search request as taught by De l'Etraz because that would have allowed the user record searching method to intelligently establish and present the contacts of contacts and further display (and print) the optimal relationship path to reach desired contacts (i.e., persons or organizations) (De l'Etraz col. 3 lines 21-23).

21. Concerning claim 20,

The limitations therein have substantially the same scope as claim 8 because claim 20 is a system claim for implementing those methods of claim 8. Therefore claim 20 is rejected for at least the same reasons as claim 8.

***Response to Argument***

22. On pages 12-13, Applicant argues that:

However Kraay does not disclose or teach anything like an address book, which is the "list of one or more user identifiers and/or user addresses" comprising the sub-set defined in step (a) of claim 1. As will be appreciated, this is a separate sub-set of data which is "nested" within the received plurality of user record information regards; On page 4 of the office action, the Examiner seems to refer only to the same Kraay data for the user record information, as well as the nested list required to be present therewithin (i.e., the sub-set of claim 1) of other user information. Thus, at least this feature of claim 1 is missing from Kraay.

Examiner disagrees because:

Kraay teaches the claimed subject matter. In fact, Kraay discloses "telephone subscribers, such as name, address ... the name of one of the telephone subscribers has been interpreted for the skilled person as an alternate of a user identifier" (see Kraay col. 3 lines 26-46). The disclosure reasonably describes the argued limitation of "list of one or more user identifiers and/or user addresses". The limitation "nested" is not present in the claims.

Kraay does not need to disclose anything over and above the invention as claimed in order to render it unpatentable or anticipate. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claimed limitations. For the above reasons, it is believed that the rejections should be sustained.

23. On page 13, Applicant argues that:

Kraay also does not disclose or teach step (b) of claim 1 insofar as it requires the received user information records to be stored. The portion of Kraay identified by the Examiner does not describe this because, for example, the "third database" is, as far as can be ascertained, one containing data which is obtained independently of the data in the first and/or the second databases.

Examiner disagrees because:

Kraay teaches the claimed subject matter. In fact, Kraay discloses "a third database includes biographical data about the telephone subscribers; a connection database which for example can include connection logs and records of individual communication network subscribers with a corresponding network address; the the subscriber information obtainable from such networks includes business and residential telephone subscribers' number, e-mail account addresses, and TCP/IP internet addresses and packet routing header data" (see col. 3 lines 26-46 and col. 4 lines 12-

24). The disclosure reasonably describes the argued limitation of "storing the received plurality of user record information records".

24. On page 13, Applicant argues that:

Also missing from Kraay is the creation of user records as covered in step (b), where the user records comprise sets of user record information, which in turn comprise user ID and/or addresses. The "subscriber records" of column 1 line 24 in Kraay do not comprise these.

Examiner disagrees because the limitation "creation" is not present in the claims.

25. On page 13, Applicant argues that:

Step (c) of claim 1 is also missing from Kraay; However, these telephone numbers do not comprise sub-sets of user record information which in turn also comprise user ID and/or addresses.

Examiner disagrees because:

Kraay teaches the claimed subject matter. In fact, Kraay discloses "telephone subscribers, such as name, address ... some of the telephone subscribers; some of the telephone subscribers is an alternate of a subset of user record information also comprise user ID and/or address" (see Kraay col. 3 lines 26-46). The disclosure reasonably describes the argued limitation of "a subset of the received user record information records".

26. On page 14, the arguments of claims 7, 13, 19 are directed to the similar argument of claim 1 which has been addressed above.

27. On page 14, the arguments of claims 8 and 20 are directed to the similar argument of claim 1 which has been addressed above.

***Conclusion***

28. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SyLing Yen whose telephone number is 571-270-1306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached at 571-272-3978. The fax and phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2100.



Application/Control Number:  
10/532,106  
Art Unit: 2166

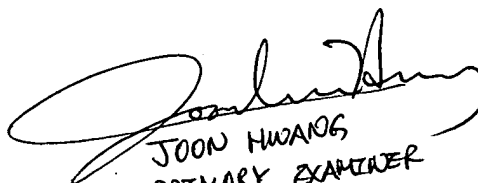
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SY  
December 12, 2007

/CDL/

SyLing Yen  
Examiner  
Art Unit 2166



JOON HWANG  
PRIMARY EXAMINER